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A REPORT

BY

Senator GEORGE McGOVERN

TO THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE



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LETTER OF TRANSMITTAL

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C., February 29, 1976.

HON. JOHN SPARKMAN,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Enclosed you will find a report on the trip I undertook to Vietnam in January.

I left Washington on January 1, and visited Portugal, Pakistan, India and Bangladesh before concluding my study mission with five days in Vietnam. I will be forwarding to you separate reports on Portugal and on South Asia.

My stay in Vietnam was too brief to permit a detailed evaluation of conditions in that country, particularly since the time was divided between Hanoi and Saigon. However I did have productive and informative discussions with leaders in both Hanoi and Saigon. These included, in Hanoi, the Prime Minister of the Democratic Republic of Vietnam, Pham Vin Dong, and Xuan Thuy, former Paris negotiator, vice chairman of the Standing Committee and chairman of the Foreign Relations Committee of the DRV.

In Saigon I was received at Independence Palace by Mr. Huynh Tan Phat, president of the Provisional Revolutionary Government, and I had several comprehensive talks with Mrs. Nguyen Thi Binh, foreign minister of the PRG. In both North and South, I was accompanied by knowledgeable and helpful protocol officers and members of committees for "Solidarity with the American People," who were prepared to answer questions on a wide range of subjects. I was asked upon my arrival what I wanted to see and what issues I wanted to discuss, and compliance with those requests was nearly complete. The one exception was my interest in inspecting the "Hanoi Hilton" where many U.S. prisoners of war were kept, and the explanation of a lack of time seemed credible because the visit had been scheduled for the day of our return from Saigon and the plane was delayed until very late.

The trip had two primary objectives: First, to pursue American humanitarian interests regarding missing-in-action personnel, Americans in the South, and families which were separated at the end of the war, and, second, to seek some sense of the political future and international posture of post-war Vietnam. These issues were the main topics of conversation with all Vietnamese officials, and they are the primary subjects of this report.

Our visas to enter Vietnam were granted through the embassy of the Democratic Republic of Vietnam in Paris. The staff of the Foreign Relations Committee, and Jan Novins in particular, provided indispensable help in working out complex travel arrangements. In preparing for our discussions in Vietnam, I received helpful information from the Department of State and a detailed briefing and background memorandum from the House of Representatives Select Committee on Missing Persons in Southeast Asia. The Chairman of that Committee, Congressman G. V. Montgomery of Mississippi, offered the full cooperation of his Committee and its staff. I am most grateful to all of those who helped make this a successful venture, and I extend special thanks to those who accompanied me to Vietnam: My wife, Eleanor; George Ashworth of the Committee Staff, my foreign affairs specialist, John Holum; my secretary, Pat Donovan; and Robert Shrum, staff director of the Committee on Nutrition and Human Needs. Through their expertise, independent inquiries, and careful notes, each member of my party has made important contributions to this report.

Sincerely,

GEORGE MCGOVERN.

VIETNAM: 1976

CONCLUSIONS AND RECOMMENDATIONS

For many years into the future Vietnam will be preoccupied with mammoth internal tasks of physical reconstruction and political, economic, and cultural consolidation. I think the United States has both an interest and an obligation to wish them well in that enterprise.

American cooperation with the Vietnamese government, moving toward normal relations, is by far the best way to resolve such humanitarian issues as accounting of Americans missing in action, the reunification of families, and other questions—which have remained unsettled for too long. Indeed, continuing the hostility and totally rejecting the Paris Agreement amount to an abandonment of any specific legal claim we may have on the MIA question. We have no real cause to withhold recognition, to block Vietnamese membership in the United Nations, or to embargo trade. We gain nothing from those steps. They can only insult and offend the government whose cooperation we must have if we are to end the anxiety of so many American families.

The question of our relations with Vietnam also bears on our broader international interests. We must have learned by now, particularly after our experiences with the Peoples Republic of China and with Cuba, that it is a self-defeating policy to wage economic and political warfare against other countries simply because we disagree with their ideology or because we consider that it was somehow unfair of their new rulers to prevail over those we preferred. Especially in the case of smaller countries, it is clearly not in our interest to force a heavy dependence on a competitive power. Vietnam does not want domination by any external force, and it makes no sense to push them that way. It will be counter productive to isolate them to the point where they can have only ties that have strings.

Further, in the post-Vietnam period both the Legislative and Executive branches have been evolving new principles for the conduct and content of America's international relations. We are moving at different paces and from different directions, and it may be some years before we can point to a cohesive and coherent new policy. But there is a growing recognition that we must abandon the old concepts of ideological blocs, and begin to evaluate each country individually, accounting for its nationalistic aspirations and its view of its proper role in the world.

Vietnam is an eminently logical place to apply these new preceptions. Wartime rhetoric about a vindictive, bloodthirsty people was tragically wide of the mark, as many Americans supposed at the time. Well educated, highly civilized leaders of both the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the South are anxious to heal both the internal and external wounds of

war, and they are determined to retain the independence which they saw as the overriding aim of their struggle. Nowhere in the world, and particularly among developing countries, can we really insist upon a much better result. Accommodation there will bear fruit. And at the site of our longest and most bitterly disputed war, it will also demonstrate in a unique way that we have found once again the wisdom, sensitivity, and compassion for which we would like to be known.

As to specific steps, I recommend, first, that we abandon forthwith the present trade restrictions and freezing of assets; that we formally recognize the new Vietnamese government which will be established after the nationwide elections expected during the first half of 1976; and that we drop at the same time any further objection to a Vietnamese seat in the United Nations.

Second, we should not lightly dismiss the Vietnamese contention that the Paris Peace Agreement remains in effect. As I have described in the body of this report, there is a strong legal and logical basis for that view. It is supported by the conduct of the DRV and PRG in the period between the signing of the agreement and the collapse of the Saigon government. Further, beyond the implementation of Article 8(b) on those missing and presumed dead in Vietnam, there are terms in the agreement—particularly bearing on the international conduct of Vietnam—which are firmly in line with U.S. objectives and, indeed, with the hopeful expectations about Vietnam which have been declared recently in major foreign policy addresses by President Ford and Secretary Kissinger.

Acceptance of the continuing relevance of the Paris Agreement would, of course, involve acceptance of an obligation for reconstruction aid under Article 21 of the Agreement. A strong moral, humanitarian and practical case for such aid can be made in any event. I believe it is in our interest to contribute to the reconstruction effort, as we did in Germany and Japan after World War II, regardless of the agreement. But in any case, I have concluded on the basis of my discussions there that the Vietnamese are quite flexible on the nature and amount of aid they would regard as fulfillment of our obligations under Article 21. We should seek to reopen direct official discussions of all outstanding issues—not only the MIA question but reconstruction assistance as well—to learn what they have in mind. At the outset we should indicate that we are prepared to join other countries with at least a modest program of aid.

HUMANITARIAN ISSUES

Article 8(b) of the January, 1973, Agreement on Ending the War and Restoring Peace in Vietnam provides that—

The parties shall help each other to get information about those military personnel and foreign civilians of the parties missing in action, to determine the location and take care of the graves of the dead so as to facilitate the exhumation and repatriation of remains, and to take any such measures as may be required to get information about those still considered as missing in action.

The related protocol provides in Article 10(a) that—

The Four Party Joint Military Commission shall ensure joint action by the parties in implementing Article 8(b) of the Agreement. When the Four-Party Joint Military Commission has ended its activities, a Four-Party Joint Military Team shall be maintained to carry on this task.

Unlike the articles relating to the return of prisoners of war, the Paris Agreement contained no deadline for an accounting for missing in action personnel. Since the Four-Party Joint Military Commission was to disappear after 60 days, once U.S. forces had been withdrawn and POWs had been returned, the provision for a successor agency in fact suggests an implicit assumption in the Agreement that an accounting for the missing would take quite some time.

Even so, progress on the implementation of Article 8(b) has been almost imperceptible in the three years since the Paris Agreement was signed.

The Four-Party Joint Military Team was established as provided in the protocol, and the United States began in April of 1973 to provide to the DRV and the PRG lists of all missing personnel, including the best available information on where and how each individual was lost. Beginning in August of 1973, these computer lists were supplemented by folders providing additional details on cases in which there was persuasive evidence that either the DRV or the PRG would have knowledge of the loss. Folders concerning a total of 107 personnel were passed on between August, 1973, and February, 1975.

The DRV and PRG delegations accepted these materials, and they have taken no steps to repudiate their obligations under Article 8(b) of the Paris Agreement. However, by December of 1975, according to material supplied to me by the State Department in preparation for my trip to Vietnam, the only substantive progress was the return, in March, 1974, of the remains of 23 American airmen who died in captivity in North Vietnam.

The DRV and PRG delegations to the Four-Party Joint Military Team withdrew in May of 1974. Article 16 of the Protocol on Cease-fire and Joint Military Commissions provided that Commission personnel were to receive "full privileges and immunities equivalent to those accorded diplomatic missions and diplomatic agents." Violations of these provisions were cited by the PRG and DRV delegations as the reason for their withdrawal. Since the demise of the FPJMT, efforts to address MIA questions have continued through the Joint Casualty Resolution Center and through the good offices of the United Nations High Commissioner on Refugees.

In April of 1975 the North Vietnamese indicated that they were prepared to return the bodies of three airmen who died in their crashes in North Vietnam. However, discussions through the DRV embassy in Paris broke down when the United States vetoed Vietnamese membership in the United Nations. Members of the House Select Committee on Missing Persons in Southeast Asia met December 6, 1975, with Ambassador Vo Van Sung of the DRV in Paris, and on December 21, members of the same Committee traveled to Hanoi and, while there, received the bodies of the three airmen whose return had been offered in April.

There has been recent attention to two other cases: Those of the two Marines who were killed during the evacuation of Saigon in April, 1975. Senator Kennedy corresponded directly with the Vietnamese on this matter, and I also raised it during my discussions in Saigon. These efforts have been successful: Two aides to Senator Kennedy traveled to Vietnam in late February and returned with the remains.

In contrast to this modest progress, the United States lists 2518 American servicemen and 43 civilians who did not return from South east Asia.¹ Of those, 1119 were killed in action or died in captivity, and their remains have not been recovered. An additional 565 have been presumed dead. Eight hundred thirty-four military personnel and 27 civilians are still listed as missing in action. None of these has been accounted for to date.

At the level of official contact the U.S. effort to obtain an accounting for these people and a repatriation of remains was largely abandoned when the Thieu government collapsed in April of 1975. My trip could not be considered in that category, of course, since no member of Congress can presume to represent the United States in meetings with a foreign government. The informal government-to-government discussions in Paris were terminated last summer over the United Nations membership issue.

Further, the Secretary of State has made it difficult indeed for anyone to argue for action on the MIA issue as a legal obligation. The New York Times reported on November 14, 1975, that Secretary Kissinger regards the Paris Agreement as "dead." From the standpoint of the Vietnamese the most relevant consequence of that position is, of course, a repudiation of Article 21 of the Paris Agreement in which the United States pledged to "... contribute to healing the wounds of war and to postwar reconstruction of the Democratic Republic of Vietnam and throughout Indochina."

Aside from rejecting that commitment the Administration currently maintains a position of active hostility toward the victors in Vietnam. As previously noted, the United States exercised its veto power over Vietnamese membership in the United Nations (though, since the principle of nonadmission of divided countries—with the parallel of Korea—was cited, the logic behind the U.S. objection will disappear once Vietnam is reunited). The United States has also refused thus far to recognize either Vietnamese government; hence, there are no regular diplomatic channels through which humanitarian issues could be pursued. And if the war has ended militarily, the U.S. continues to wage an economic struggle against Vietnam through trade restrictions—placing that country in the same status as North Korea and Cuba. Finally, Vietnamese assets in the United States have been frozen. A total of roughly \$70 million, primarily deposits in U.S. banks, has been tied up by the Treasury Department, after consultation with the Department of State.

There have been recent verbal signals, and one tangible step, to suggest that the Administration does not expect to hold a perpetual grudge against Vietnam. In an address to the Economic Club of Detroit on November 24 of last year, Secretary of State Kissinger stated that our relations with the new governments in Southeast Asia . . .

. . . will not be determined by the past; we are prepared to look to a more hopeful future. The United States will respond to gestures of good will. If those governments show understanding of our concerns and those of their neighbors, they will find us ready to reciprocate. This will be especially the case if they deal constructively with the anguish of thousands of Americans who ask only an accounting for their loved ones missing in action and the return of the bodies

¹ The figure includes personnel missing in Laos and Cambodia. The U.S. maintained after the Paris Agreement was signed that since it contained provisions relating to foreign troops in Cambodia and Laos, it therefore obliged the DRV to account for the missing in those countries. The DRV disclaimed any such responsibility, but did agree separately to assist in arranging the return of POWs from Laos.

of Americans who died in Indochina. We have no interest to continue the Indochina war on the diplomatic front; we envisage the eventual normalization of relations. In the interim we are prepared to consider practical arrangements of mutual benefit in such fields as travel and trade.

President Ford included the same fundamental sentiment in his December 7 address on U.S. policy in the Pacific at the East-West Center of the University of Hawaii in Honolulu:

In Indochina, the healing effects of time are required. Our policies toward the new regimes of the Peninsula will be determined by their conduct toward us. We are prepared to reciprocate gestures of good will—particularly the return of remains of Americans killed or missing in action or information about them.

If they exhibit restraint toward their neighbors and constructive approaches to international problems, we will look to the future rather than to the past.

The one positive step toward reconciliation has been the decision, disclosed by Secretary Kissinger to members of the House Select Committee on Missing Persons in Southeast Asia on November 14, 1975, and amplified in the State Department briefing November 17, to permit some shipments of humanitarian aid from private organizations. The policy against such aid was not reversed, but the Department reevaluated and reversed an earlier objection to a shipment of such items as fishnets, rototillers, and wood-screwmaking machines by the American Friends Service Committee, an organization with a long history of humanitarian involvement in Vietnam. Secretary Kissinger reportedly told the members of the Select Committee that the action was meant as a response to the Provisional Revolutionary Government's release of 9 Americans, mostly missionaries, who had been taken prisoner during the spring, 1975, offensive in the Central Highlands. Press accounts also indicate that the Secretary told the Committee that the United States was ready to open discussions concerning the normalization of relations.²

In all my discussions with Vietnamese officials I tried to stress these positive elements of U.S. policy as an incentive for moving ahead, not only on the MIA issue but also on the exit of Americans who were caught in Saigon when the Thieu government fell and of relatives and dependents of Vietnamese who were evacuated. In Saigon, I presented Madame Nguyen Thi Binh, Foreign Minister of the Provisional Revolutionary Government, with a partial list of Americans known to be in South Vietnam, and another list containing particulars on Vietnamese—some American citizens and others not—whose relatives in the United States had contacted my office when they learned I would be traveling to Vietnam.

I suggested that a favorable response on all of these concerns could have a significant impact on movement toward a more satisfactory relationship between Vietnam and the United States, and recalled in particular that both the American people and American officials had welcomed the return of civilian prisoners from the South and the presentation of remains to the House Select Committee.

I also expressed the personal view that reconstruction aid did not seem to be a practical possibility in the near future, especially in light of the severe economic difficulties prevailing in the United States. Noting the devastation of Vietnam, I pointed out that the war had also been extremely costly to the United States—in both spiritual and material terms—and that the experience had contributed to a general

² "United States Ready to Talk with Indochinese," *New York Times*, Nov. 15, 1975.

public disaffection with foreign assistance of all kinds. I also observed that in the future the question of reconstruction assistance would probably be better received if it were raised not as a matter of retribution for a nightmare most Americans would rather forget, but instead as a positive development program based on mutual respect and the provision of assistance to people who need aid and can use it effectively.

I received no quarrel on the humanitarian issues. On the contrary, both the DRV and the PRG believe they have a positive obligation to account for missing persons and to return remains. Difficulties in the process of search and identification were cited—Xuan Oanh, secretary of the Vietnam Solidarity Committee with the United States, reminded me that they are also searching for thousands of their own missing, and told me that he had personally conducted a search for many months, without avail, for a member of his own family. But I was told repeatedly that the process is continuing and that it will be completed to the best of their ability.

Prime Minister Pham Van Dong responded positively on both the question of accounting for missing persons and on reuniting families. Our conversation, like most of the other substantive talks during the stay in Vietnam, took the form of an opportunity for me to present at some length the matters I wanted to discuss, followed by a point-by-point response. I had asked for his view on three humanitarian issues—on the MIA accounting, the reunification of families, and on the possibility that some people who had been evacuated, including several who had contacted me, might want to return to Vietnam if they could be assured they would be received without recriminations. The Prime Minister responded:

We are very much concerned with the three points you raised. There is no difficulty with the first two. The third we will have to consider, but on principle there will be no difficulty.*

In my presentation concerning missing in action personnel, I had suggested that even a status report on the lists which had been supplied would be quite helpful—a description of the status of their investigations, including, where appropriate, a simple statement that they have no information. The interpreter translated the Prime Minister's response to the effect that it was a good "idea." However, some time later I was advised by Mr. Oanh that an important nuance had been missed, and that the Prime Minister had actually indicated approval of the "suggestion." Mr. Oanh stressed the difference between conceptual appreciation of an "idea" and approval of a "suggestion," which implies that actions will be taken. Therefore, I expect that there will be a follow up on the question of a status report. Since there has been no substantive reaction to the lists which have been supplied, this would be an important step forward.

I also discussed the MIA issue with Mr. Xuan Thuy, who serves as Vice Chairman of the Standing Committee of the National Assembly and Chairman of its Foreign Relations Committee. I had met Mr. Thuy earlier in Paris in 1969 and 1971, where he was, along with Le Duc

* I was subsequently told in Saigon by Madame Linh Quy, press liaison in the PRG foreign ministry, and by Foreign Minister Binh, that requests for return to Vietnam would have to be investigated on a case-by-case basis because of a fear of subversion. However, they also told me those who returned by chartered ship last year had all been reintegrated into Vietnamese society.

Tho, a principal negotiator for the Democratic Republic of Vietnam. In Hanoi in January he emphasized the overriding reason why the Vietnamese parties regard themselves as obligated to account for missing personnel—because, in contrast to the position declared by Secretary of State Kissinger, they contend that the Agreement on Ending the War and Restoring Peace in Vietnam, including Article 21 on reconstruction aid, remains a binding document. Xuan Thuy said:

We are very faithful to our signature. You just mentioned that the United States is very anxious about the missing in action. That question is related to Article 8(b) of the Paris Agreement. That article has been implemented by our side. We are very much concerned about that article.

We are still continuing our investigations. But there is no reason on the one hand the United States government just wanted to implement Article 8(b); why it refused to implement other provisions.

In Saigon, Madame Binh, who I had also met before in Paris where she represented the National Liberation Front and, later, the Provisional Revolutionary Government, responded in a similar vein when I inquired in particular about the two Marines killed during the evacuation. I noted that Senator Kennedy had received correspondence regarding these men. The subsequent exchange, beginning with Madame Binh's response, exemplifies the position we heard repeatedly in Hanoi and Saigon:

Many people have given attention to this question. We have just heard of the remains on the two U.S. Marines so we need time to investigate and find out whether they are the American Marines. As a matter of fact, on those days a number of people died—Vietnamese and Americans—so we have to find out whether these two tombs are the remains of the Marines.

I asked whether, once they were identified, the remains would be repatriated. She replied: "It is not our aim to keep them forever. That is no problem. They belong to the American people."

I asked if the United Nations High Commissioner was assisting on the identification, noting that they have access to technical resources to identify remains. She responded that High Commission representatives had asked for certain information on these cases. Then she continued:

Aside from the humanitarian matters involved, we must define the responsibility of the United States government concerning this point. It is true that Mr. Kissinger signed the Paris Agreement on behalf of the U.S. government. Mr. Kissinger said that the Paris Agreement is not binding now, but we are saying that the Paris Agreement has been implemented on the fundamental points. The agreement stipulates that the United States and other countries respect the independence, sovereignty, unity and territorial integrity of Vietnam. By now the United States, either winning or not, has been forced to respect that right. So it may be said that the Paris Agreement has been implemented on this point.

On the right of self-determination of the South Vietnamese people in the agreement, what we are doing now is the implementation of the right of self-determination of our people in the most complete way. I have just told you about the general elections throughout the country, and I think this is the best way to realize the self-determination of the South Vietnamese people. Previously we proposed to fix the time for the National Council of Reconciliation and Concord to hold the election. But Mr. Kissinger refused. So we are taking this way, and after one year of liberation we will hold the election. But some articles have not been implemented. We need to have a discussion of these things.

When I raised with Xuan Thuy the issues of the Americans remaining in South Vietnam and relatives and dependents of April, 1975, evacuees, he suggested that I discuss them with officials in Saigon. Therefore I placed a major emphasis on these matters in conversations

with Madame Binh and with Mr. Huynh Tan Phat, president of the Provisional Revolutionary Government. The responses indicated that these questions are not necessarily linked to the Paris Agreement. I asked President Phat if Americans and members of families in the United States would be free to leave the country. He replied:

We will examine the cases, and if they are the husbands and wives of Americans, we will create the conditions for them to meet . . . These people are victims of the war conducted by the warlike. There are not only Americans but other foreigners who want to leave. We are considering the ways and means to return them.

When I presented lists to Madame Binh she, too, indicated that there was no fundamental obstacle of policy. The main problem is one of administration—setting priorities for departure among residents of various foreign countries, arranging transportation, all in the context of serious problems of unemployment and economic reconstruction.

My party had flown to Saigon on the morning of Thursday, January 15, on the daily government flight. The schedule called for us to leave again for Hanoi early the following morning. However, we were told that the plane developed technical problems and the flight was postponed until afternoon. The discussions with President Phat and Foreign Minister Binh had been held late in the afternoon and in the evening of the day before. While the aircraft was being readied for departure, we found that the PRG had also been readying a response to the list of Americans in South Vietnam that I had given Madame Binh the night before.

Madame Binh met us at Tan Son Nhut and stated that "According to the Senator's request, a number of Americans will be permitted to leave."

She mentioned two names in particular—James Klassen and Joseph Brickman—as being prepared to leave "in the near future," and she said the PRG would continue with the rest of the list. She indicated that arrangements for transportation would be made by her government.

This step, along with the generally positive response on providing for the reunification of at least wives and husbands of people now living in the United States, was not tied to implementation of the Paris Agreement. I presume that is because they addressed concerns which arose from new circumstances which developed after the agreement and which were therefore not contemplated by its terms. At the same time these accommodations were plainly offered as a response to my trip, which the Vietnamese saw as a gesture, however small, in the direction of better U.S.-Vietnamese relations. I cannot predict how much further they will go without a substantive response from the United States.

Gestures on Missing in Action personnel—the delivery of remains to the House Select Committee, whatever follow through there is on my suggestion of a status report, and the action on the two Marines killed during the evacuation of Saigon—must be seen in a similar context. But beyond that, it is quite clear that the Vietnamese see their obligation of MIAs as deriving from the Paris Agreement. Additional gestures may be made. But it does not seem likely that a complete accounting can be had in the absence of a serious reference to what was established in Paris three years ago.

Therefore it is worth reexamining in some detail the evolution, implementation, violation, and presumed dissolution of the Paris Agreement, with special attention to the Vietnamese point of view.

THE PARIS AGREEMENT RECONSIDERED

A. A NEGOTIATED VICTORY

It was too readily assumed at the time, and it is too easily accepted in retrospect, that Vietnamese revolutionaries in 1973 and 1974 were only biding their time and preparing themselves to violate the cease-fire and take over South Vietnam by force. I think the opposite impression would prevail if the situation there after the Paris Agreement had been followed as closely as it was during the years of direct American involvement in the fighting.

I do not mean to suggest that the DRV and PRG, by accepting the Paris Agreement, had thereby given up their goal of a reunified Vietnam. Rather they saw the agreement as a means of shaping an evolution toward the same ends without war. The agreement did, after all, represent vital victories for their side.

Nearly 19 years after the Geneva Agreement, the United States finally accepted the principle that Vietnam is one country and the division of Vietnam along the 17th parallel was only a temporary line of demarcation. We pledged to respect the "independence, sovereignty, unity, and territorial integrity of Vietnam as recognized by the 1954 Geneva Agreements on Vietnam." We pledged that the United States would "not continue its military involvement or intervene in the internal affairs of South Vietnam." And, as noted, we pledged reconstruction aid.

The most meaningful gains were political. A strategy adopted in June of 1969, when the Provisional Revolutionary Government was formed, bore fruit in the Agreement's recognition of the PRG, along with third force elements, as an equal of the Thieu government in shaping the political future of South Vietnam. The Agreement guaranteed the PRG the right to join in the preparations for and the administration of internationally supervised elections, a provision which was—had the agreement been fully implemented—obviously of far greater significance than the question of who would nominally control the government of South Vietnam until the elections took place. It is especially important to consider this point in the context of the fact that the DRV and PRG believed—with apparently good reason, in light of President Thieu's compulsion to lock up the mounting third force opposition in 1973 and 1974—that Thieu's control was highly fragile and that his government could not remain politically viable for long without the war and without a substantial American presence.

So in the context of the goals they had pursued for more than a generation, the DRV and the PRG had good reason to seek scrupulous enforcement of the Paris Agreement. President Nixon's 1973 posturing about "peace with honor" tended to obscure the fact that the agreement was hailed as a triumph in Hanoi and was enthusiastically distributed by the DRV and the PRG. In contrast to President Nixon's portrayal, Secretary Kissinger's earlier references to the basic United

States' need for a "decent interval" before reunification under Communist authority was a much fairer description of the 1973 settlement. But it was a valid assessment not only on the assumption that the agreement would fail; it was also the most reasonable project if the agreement, in all particulars, had been kept.

B. THE PATTERN OF VIOLATIONS

Continuous DRV and PRG support for the agreement from the beginning was impressed upon me in Vietnam in January. But the statements of Vietnamese officials only fleshed out the conclusions I thought were apparent long before, on the basis of independent reports. I argued strenuously in January of 1975 that the Thieu government, not the DRV and PRG, had systematically violated and thwarted the Paris Agreement, and that more arms aid to Thieu was a way to sabotage the Paris Agreement, not sustain it.

In fact Mr. Thieu had repudiated the agreement at the outset. He suppressed the text, ignored the political terms, and used political propaganda to grossly misrepresent what he had signed. He prevented establishment of the National Council of Reconciliation and Concord, and even outlawed the neutralists who were to have one-third of that agency's power. He plainly recognized, as did his aspiring successors, that the agreement entailed a considerable, and probably fatal, diminution of his power.

Of course the distasteful implications of the agreement did not alter its terms or its binding effect on the United States and the Thieu regime. So it was simply repudiated. The statement of Thieu's prime minister, Tran Thien Khiem on August 1, 1973, is illustrative:

We will not let the Paris Agreement decide the fate of South Vietnam. Our army is determined to decide the fate of South Vietnam. Today the world does not rely on international law but on force.

Militarily, in actions which were passed off by such innocuous descriptions as "jockeying for position," Saigon's forces went on the offensive against PRG and North Vietnamese zones of control within hours after the agreement was signed.

Admiral Thomas Moorer summarized the initial results in February of 1974, stating that ARVN—

...have increased their control overall from 76 percent to 82 percent during the past year. In other words President Thieu is consolidating his position, and I think gaining more control . . . the North Vietnamese . . . published a policy indicating that they were going to concentrate on political action in an effort to gain more territory, and not go forward with large-scale military activity. They have openly published this track, and they have been following it.⁴

A Newsweek journalist who had been that magazine's Saigon bureau chief published a careful analysis in January, 1975, in which he termed Saigon the "more guilty party" in the eventual breakdown of the ceasefire. He saw three phases to Saigon's strategy: First, the period from January to December, 1973, during which Saigon tried to eliminate smaller PRG zones of control and resettle refugees in contested areas; second, the period from January to May, 1974, in which ARVN took large-scale offensive operations under Thieu's instructions to "hit

⁴ "Department of Defense Appropriations for 1975," U.S. House of Representatives, Department of Defense Appropriations Subcommittee, pt. I, p. 503.

them in their base areas"; and, finally, beginning in May, 1974, the North Vietnamese decision to move militarily to regain lost land and people and to undermine ARVN's military capability.⁵

C. PERSISTENT COMPLIANCE

As to the DRV and PRG, the author of this Foreign Affairs study reported that "the Communists... were unprepared for—and staggered by—the aggressiveness of the government's operation." The article continued:

What is extraordinarily important in this military picture is, of course, the degree of restraint shown by the North Vietnamese forces.

... the North Vietnamese have chosen to stay inside the parameters of the Paris peace agreements by generally not attempting to take land that was firmly under the control of the South Vietnamese at the time of the ceasefire.

In my view this perceptive analysis fell down at a crucial point, when the author attempted to divine the reasons for DRV and PRG moderation. He cited potential problems in their aid relationship with the Soviet Union and China, a possible politburo decision to postpone the reunification goal for a time while rebuilding damage in the North, and a faith in Hanoi that time was on their side because the Saigon government would ultimately weaken from within. But all of those answers incorporate to at least some extent an assumption that a main Communist objective was an eventual military takeover of the South. And each overlooks an answer which is both less complicated and far more obvious: That the DRV and PRG position throughout was to insist on compliance by all parties with all provisions, including the vital political terms, of the Paris Agreement; that they continued to expect that the United States would pressure its ally in Saigon to live up to the obligations imposed by the agreement; and that when they finally did respond in 1974, their action was initially most consistent with a desire not to abandon the agreement but to insist upon compliance.

Such an interpretation carries with it the disquieting realization that the United States still had the capability in 1973 and 1974 to avoid the ultimate military defeat of the Saigon government, by using aid leverage or limitations on Thieu, merely to uphold the same agreement which was called "peace with honor" when it was signed. Of course such leverage was not employed.⁶

⁵ Maynard Parker, "Vietnam: The War That Won't End," *Foreign Affairs*, January 1975.

⁶ For a scholarly and compelling analysis of the Paris Agreement and subsequent events based on the issues that were at stake throughout the war, see D. Gareth Porter, "A Peace Denied: The United States, Vietnam, and the Paris Agreement," Indiana University Press, 1975. Porter marshalls convincing evidence and argumentation for his conclusion that the Nixon Administration, not the Thieu government, blocked the October 1972, signing of the agreement and that the Administration never intended that the agreement would be implemented. Rather, he contends, the Paris settlement was designed primarily as a change of tactics, within the Nixon Doctrine, to continue the prosecution of the war with Vietnamese ground troops, massive American military aid, and unrestricted American support from the air. According to Porter, the scheme was finally laid to rest by the Watergate revelations and by Congressional prohibitions against a continued U.S. air war in Vietnam. He concludes that—

"The conflict ended in complete military victory for the PRG rather than in a negotiated solution, because the United States refused to adjust its policy to the new balance of forces reflecting the fact that the United States clearly would not again intervene with air power in Vietnam. Kissinger and Nixon refused to use their power to force a political change because they found it more compatible with both domestic political needs and foreign policy objectives to lose militarily while playing the 'good ally' than to actively seek a political solution to bring an end to the war."

Even the events of the spring of 1975, leading to the final collapse of Saigon can be squared with a DRV-PRG effort to enforce, rather than bypass, the Paris accord. Their offensive was accompanied by offers to negotiate toward a political result. There is substantial evidence that they did not expect their attacks to end in a military takeover of Saigon but that their primary motive was to exert a pressure for a change of government in the South—to replace President Thieu with a leadership that would be willing to abide by the Paris Agreement. The decisive factor in the outcome was not the weight and breadth of the offensive but the wholesale disintegration of Thieu's forces, especially around key cities on the central coast. The abandonment of territory developed its own momentum. Pursuing forces reportedly had a difficult time keeping up with the retreat, often arriving in villages and cities as much as a day or two after the defenders had left.

By that time it is, of course, understandable that in light of Thieu's intransigence and unwavering U.S. support, DRV and PRG strategists had given up any hope that the agreement could be implemented with Thieu still in power in Saigon.

And the implication came through strongly during my January discussions in Hanoi and Saigon that the "liberation" of South Vietnam was itself regarded as being carried out in the context of the agreement. In the conversation quoted above (pp. 14-15) PRG Foreign Minister Binh implied that it was the replacement of the Thieu government which had forced the United States to respect the "independence, sovereignty, unity, and territorial integrity of Vietnam" as provided in the agreement. She stressed the forthcoming national elections, thwarted under Thieu, as fulfillment of the agreement's guarantee of self-determination.

In a more detailed conversation regarding the Paris Agreement, Xuan Thuy told me that after the agreement was signed—

The White House continued to give more and more aid to the Thieu regime, and the war went on, Thieu's troops made operations into PRG controlled areas.

We urged the American side to correctly implement the Paris Agreement. We really wanted to have the agreement implemented, because it was we who first offered the agreement. And we believed that if it were implemented correctly it would be beneficial to both Vietnam and the United States and to the cause of peace in the world. However, our appeal brought no results.

Finally we had to reassess the situation. We concluded that the United States was not faithful to its signature and that it just wanted to deceive us. They just wanted to withdraw the American troops and bring home the POWs, but not to implement the other provisions.

It was our opinion that Mr. Nixon continued his policy in Vietnam on the basis of the Nixon doctrine. And that led to a general offensive and to uprisings of the people and army of Vietnam in the spring of 1975.

Even just before the launching of the general offensive, we still thought it would be better if the agreement could be implemented. But what the United States had done showed clearly that even at the last moment the United States would not implement it.

I asked Xuan Thuy if there were parts of the agreement they would consider to be no longer binding; for example, did they anticipate having international supervision of elections as provided in the agreement?

He responded that:

... Those provisions no longer conform with the realities of South Vietnam and Vietnam in general. We consider those provisions which are still in conformity with reality. For example, Article 1 of the Paris Agreement ... will exist

forever. Article 21, the United States still has an obligation to do that. When the U.S. wanted us to implement Article 8(b), we have tried to realize that. But the general election is now a totally internal affair.

Similarly, when I asked about the National Council of Reconciliation and Concord, Mr. Thuy replied that it had not been formed because—

... the situation in South Vietnam after liberation was quite different. It changed. If the United States government and Thieu had agreed to implement the first agreement seriously, then there would have been formation of that Council.

He cited the agreement again in referring to current plans for reunification. Those goals "conform with the realities of Vietnam and conform with the guarantee of the agreement signed."

I was also told that at least within the spirit of the agreement, Third Force members were included in the South Vietnamese delegation to the joint meetings on reunification. News accounts had earlier confirmed that "at least seven known Third Force personalities" were on the delegation, and also that there was a representative of South Vietnam's Khmer community.⁷

Against the background of events in 1973 and 1974, I found these descriptions of DRV and PRG support for the agreement to be convincing, and far more credible than the more Byzantine speculation we heard before. This interpretation does, of course, establish a strong logical and historical framework for the present Vietnamese contention that the Paris Agreement remains in effect. It is not a contention which can be casually dismissed.

Nor should it be. At a minimum, if we attach even the slightest importance to the nature of our future relationship with Vietnam, or to the humanitarian issues still pending, then at the very least we must understand the basis for the current posture of the Vietnamese.

D. THE PROCESS OF AGREEING TO AID

In the course of a general description of events immediately preceding and immediately following the Paris Agreement, Xuan Thuy revealed that there was also an agreement on a specific level of American aid.

The October, 1972, draft agreement, he said, was cabled by Secretary Kissinger to President Nixon. According to Thuy, Mr. Nixon "answered that he would agree, and he made an appointment in October that it would be signed."

Later he asked for the signing to be postponed for a later time, and he demanded that some agreed upon provisions be changed. We told them that they could modify details but they could not, it was impossible, to modify the essentials.

In an earlier dinner conversation Xuan Thuy said Secretary Kissinger had made a "definite commitment" to sign the agreement by the end of October, but that he "swallowed his promise." Thuy said the Secretary had been asked directly if he could speak for Saigon in making that commitment, and he quoted the response as "I would not be here if I couldn't."

⁷ Nayan Chanda, "Two Paths for a 'United' Vietnam," *Far Eastern Economic Review*, Nov. 28, 1975, p. 18.

When President Nixon requested a postponement in the signing, Xuan Thuy said they received word from "confidential sources" that the United States was, in fact, backing out on its commitment to the agreement. That, he said, is why the DRV made its public announcement that an agreement had been reached and that it was to be signed by the end of October—so the public "would know an agreement was made, and that it was not we who were blocking it."

When the negotiations broke up it was the North Vietnamese understanding, according to Xuan Thuy, that the teams were reporting to their respective governments. Thuy was still in Paris meeting with Ambassador Bruce when the December, 1972, bombing began. Le Duc Tho had arrived in Hanoi barely two hours before.

During the Christmas bombing, Xuan Thuy said the White House sent word that they wanted to meet again. But he recalled that "our government said that we would only meet again under the condition that the United States must stop the bombing." The bombing stopped and the agreement was signed on January 27.

On the question of aid, Thuy said the first agreement included a commitment on the part of the United States to "participate in the healing of the war wounds and the reconstruction of Vietnam." Then, at the time of the January agreement, Thuy said Mr. Nixon sent a memorandum.

In his letter to Premier Pham Van Dong, Nixon said the United States would participate in the healing of the war wounds in postwar Vietnam and would give \$3.25 billion in economic aid. He also proposed the establishment of a special economic commission. We agreed.

However, after discussions in Paris, there was no result. We concluded that the American side just promised reparations but in fact they didn't want to implement the promise.

Information on this specific aid agreement had also been supplied by Deputy DRV Foreign Minister Phan Hien to the members of the House Select Committee on Missing Persons in Southeast Asia during their December visit to Hanoi. The Nixon message, dated February 1, 1973, was described as stating that the U.S. would contribute to the reconstruction of North Vietnam "without any political conditions," that the U.S. contribution would be \$3.25 billion over a five-year period, with other forms of aid to be agreed upon by the two sides, that details were to be reviewed by the two governments, and that a Joint Economic Commission would be formed to complete negotiations on the details of an aid agreement. Pham Van Dong responded immediately with a message confirming all the points in the Nixon message.

The Joint Economic Commission described in this exchange began meeting in Paris on March 15, 1973, and, according to information supplied to the House Select Committee, it did prepare a draft agreement:

... the Commission had actually reached agreement on the total amount of grant aid to be provided ... the percentage to be spent in the United States (85 percent) and in third countries (15 percent), the list of commodities to be purchased over the entire five years, and the commodities to be purchased during the first year.

... the United States was expected to play a central role in the reconstruction of North Vietnam, with the emphasis on industrial plants and commodities, infrastructure, and energy. The five-year plan provides for plants for pre-

fabricated housing, plumbing fixtures, sanitary porcelain ware, cement, sheet glass, chipboard, synthetic paint, and a steel mill with an annual output of one million tons. The contribution to energy development included a thermal power station with a capacity of 1,200 megawatts, a high tension electrical equipment plant with an annual output of 3,000 tons, and 20,000 metric tons of high tension copper cable. In addition, the agreement included a provision of a vast array of equipment for port reconstruction and water, road, and rail transport, and for agriculture.⁸

The Commission, including three delegates from each side, met until President Nixon suspended U.S. implementation of the Paris Agreement in April. It met again in June and July. But on July 23, when the detailed aid agreement was scheduled to be signed, the United States instead broke off all talks indefinitely.

The existence of the letter from President Nixon to Pham Van Dong—and its existence has been confirmed by State Department spokesmen in recent weeks—creates serious circumstantial doubts about the Administration's assertions at the time that they had agreed to no specific aid program in the context of the Paris Agreement. Believing that in retrospect requires acceptance of one of two highly unlikely events: Either that President Nixon set the \$3.25 billion figure on his own and voluntarily forwarded the letter, or else that somehow the two sides worked feverishly between January 27 and February 1 to agree upon the specific amount and the terms that were included in the Nixon message. More likely the Nixon memorandum itself was the product of earlier hard bargaining and an undisclosed understanding reached before the Paris Agreement was signed. That, too, has been confirmed privately by knowledgeable sources in the Administration.

In turn, the Nixon memorandum and the negotiating context described by Xuan Thuy both undercut the Administration's claim—which was wobbly enough at the time—that the Christmas bombing produced major negotiating results for the United States. As Xuan Thuy described it, the bombing halt was not a magnanimous gesture on the part of the United States, but a North Vietnamese precondition to resuming the discussions. The bombing could not have long continued anyway, because, at the same loss rates, the entire fleet of B-52 bombers assigned to Southeast Asia would have been lost in about 90 days time. Then, as a consequence of the added damage inflicted upon North Vietnam, the Administration had to agree to a reconstruction aid figure much higher than anyone had supposed (no specific aid figure was ever formally requested of the Congress, but the sum discussed in widespread news accounts was \$2.5 billion for North Vietnam).

Further, the details of the aid discussions carried out pursuant to the Nixon letter, and the existence of an actual draft aid agreement, shed new light on the question of who was responsible for the eventual collapse of the ceasefire. Up until July 23, 1973, the Vietnamese had every reason to believe that the Administration planned to provide reconstruction aid. That was another strong incentive for them to maintain a purely defensive military posture. But on July 23, the Nixon Administration broke off the aid talks, and seemed to be adding a new condition—a requirement that the Vietnamese somehow arrange a ceasefire in Cambodia—to the terms of the Paris Agreement.

⁸ Staff Memorandum to House Select Committee on Missing Persons, Jan. 30, 1976.

This was also a deviation from the Nixon letter, which promised the aid "without any political conditions." By the most knowledgeable accounts, it was only then—when the Nixon Administration, as well as the Thieu government, had demonstrated bad faith—that the Vietnamese Communists began to prepare for a more aggressive military response to ARVN incursions.⁹

I did not receive the impression in Hanoi that the disclosures on the Nixon letter and the draft aid agreement were made to reflect the current North Vietnamese position on the amount of aid they would expect from the United States if the United States were to accept its obligations under Article 21. That provision of the Paris Agreement came up repeatedly in my meetings with both DRV and PRG officials, yet the Nixon message was not mentioned by anyone other than Xuan Thuy. Moreover, it was then raised not in connection with our discussions of Article 21, but in the context of a description of the negotiating process in late 1972 and early 1973.

To be sure, the extent of the destruction to North Vietnam was brought home forcefully. I was told that up until July, 1972, the material loss amounted to more than \$6 billion, exclusive of the Christmas bombing. We saw the Bach Mai hospital which we were told had been bombed three times—June 27, December 19, and December 22—in 1972. On the latter occasion, we were told, more than 100 bombs struck, and 28 medical personnel were killed. The hospital has been rebuilt since the war, but slides were used to demonstrate its earlier condition. Our guides told us aid for rebuilding the hospital had come from China, and that \$1 million in private American contributions had been sent through Medical Aid for Indochina. We also saw sections of dike four kilometers from Hanoi which had been bombed and rebuilt. The earliest attacks on the dikes were in August of 1966, we were told, and then again in 1967, in 1968, and during the Christmas bombing in 1972.

The dikes are obviously crucial not only in North Vietnamese agriculture but to prevent flooding of populated areas. We crossed the two-kilometer bridge which handles motor, rail, bicycle, and foot traffic across the Red River separating Hanoi from Gia Lam airport. It had been destroyed three times during the war. We stopped in a residential area, the Kham Thien District near the center of Hanoi, which was described as the site of the most severe human losses in the Christmas bombing—270 people killed on the night of December 26, 1972. We were told that thousands of unexploded bombs still exist in the rural areas of North Vietnam, and that they still cause occasional fatalities. Premier Pham Van Dong described massive damage to factories, communications and transportation networks, schools, housing, and hospitals. Xuan Thuy said that if we had been there in early 1973, we would have seen that all railroads and roads had been damaged and that all major bridges had been destroyed. He reported that much has been restored, but not the railroads. New school construction permits study in two shifts a day now, instead of three.

⁹ See "Thailand, Laos, Cambodia, and Vietnam: April 1973," Staff Report, United States Senate Committee on Foreign Relations, June 11, 1973, for a description of the DRV/PRG military strategy until that time.

Notwithstanding these descriptions, I came away with the impression that the North Vietnamese remain flexible on the size and nature of any potential American aid program. Premier Pham Van Dong put it in terms of the American people having "some part" in rebuilding the country. He did not mention the Nixon memorandum or the 1973 proceedings of the Joint Economic Commission; instead he said that "The exact sum is not mentioned in the Paris Agreement, but it is a matter of honor, responsibility and conscience."

THE POLITICAL FUTURE OF VIETNAM

A. INTERNAL DEVELOPMENTS

The political reunification of Vietnam is moving ahead under the terms of an announcement of November 9, 1975. Delegations of 25 members each from the North and South met in Saigon November 15 through November 21, 1975, to establish more concrete plans for reunification. They agreed that sometime within the first six months of 1976 nationwide elections would be held for establishment of a single National Assembly. That Assembly will, in turn, adopt the program for the complete political and economic integration of North and South. They hoped to hold the election on April 30—the "liberation" anniversary—but PRG leaders cited possible problems in meeting the deadline. A census is underway to arrive at current population figures, and the thorny problem of apportioning delegates within the South must also be addressed, within the context of plans to encourage relocation in the countryside of as many as possible of the people who were brought to Saigon and other cities during the war.

The elections will certainly lead to completion of the formal reunification of Vietnam for international purposes. There will be a single capital (probably Hanoi, although embassies in Saigon—including the American embassy—have not been converted to alternative purposes, presumably on the grounds that they may be needed perhaps as consulates, by their governments again one day). There will be a single national administrative structure, and a single foreign policy apparatus.

But the long division of Vietnam, going back formally to 1954, has left enormous cultural and economic differences between the North and the South, and they will not be fully reconciled soon. The distinctions were readily apparent even on a short visit to the two principle urban centers of Vietnam. Hanoi with few automobiles and countless bicycles, is a relatively quiet, clean, and austere city; Saigon is still a swarm with Hondas and cars, and the atmosphere on busy streets seems to be composed of as much carbon monoxide as air. Hanoi has relatively few stores, and most stock basic commodities: Saigon's main thoroughfares are jammed with shops, pushcarts, and peddlers selling everything from finely made lacquer pieces to cheap trinkets, from American cigarettes and soda to bottles of gasoline. In Hanoi the streets are filled with people, but they all seem to be on their way someplace or doing something; in Saigon many people appeared to be simply standing around (unemployment in the South

is officially set at 2.5 million). Hanoi seems traditional and dignified; Saigon is a mixture of East and West, and still has a gaudy, carnival atmosphere.

The cultural difference was exemplified by the musical entertainment to which we were treated: In Hanoi we heard a mixed program performed by conservatory students—European violin, piano and cello, classical pieces by Chopin, Brahms, Liszt, and Shostakovich, and traditional Vietnamese pieces played on sixteen-string and one-string guitars. In Saigon we heard a band which had performed at the Caravelle and Majestic hotels during the Thieu era. They performed post-Liberation patriotic songs in swing and rock style, on electric guitars, saxophones, horns, drums, clarinets, and violins.

Obviously there has not been an abrupt transformation of Saigon. Compared to my last visit there in 1971, the main visual differences I could detect were the absence of Americans and their partial replacement by North and South Vietnamese troops, the presence of posters and billboards with revolutionary slogans, and the omnipresent pictures of Ho Chi Minh—including a very large painting above the entrance to Independence Palace.

Nor, we were told, will there be a rapid transition. Currency has been exchanged from piastres to dong, but a substantial amount of wealth remains in private hands. Many major enterprises are still privately run. Madame Binh told us there are five segments to the economy: The portion that is privately owned, parts run by cooperatives, production through a mixture of State and private ownership, collective economic centers, and the state economy. She said those five sections "will exist here for some time." Others spoke of a twenty-year transition.

PRG officials emphasized two major public priorities. One is to repopulate rural areas, and President Phat conceded that, "It is not a simple task. People want to stay in the city." Apparently some people who had been relocated from Saigon simply came back. Now the problem is being approached on a more deliberate basis, beginning with the construction of new housing in villages and the reclamation of farmland. A total of 500,000 people have been successfully relocated thus far. As one result, Phat said South Vietnam is now self-sufficient in rice production. They hope to begin exporting rice again next year, reasserting the rice-surplus status they held before 1965.

Other major government objectives are to deal with drug trafficking, to rehabilitate drug addicts, and to end prostitution. The philosophy behind the approach in these areas is heralded in the names of the treatment centers—centers for the rehabilitation of the "dignity of young men" or the "dignity of women." Treatment of addicts involves education, acupuncture, herbs, exercise, and fellowship, especially through music.

Aside from these most urgent tasks, the timetable for any significant reconstitution of Saigon will likely be set by at least three interdependent imponderables—the rate at which the vast quantity of consumer items left over is either used up or worn out, the pace and ultimate extent of relocation, and the rate at which the population can be motivated toward revolutionary objectives. Though western multi-party democracy is out of place, officials in Saigon did appear

to be sensitive to the political and economic habits acquired during the western presence in South Vietnam and to the dangers of attempting to change things too quickly. This is, of course, in line with the premises long enunciated in North Vietnam, principally by Lao Dong (Vietnam Workers) Party First Secretary Le Duan, that revolution is an evolutionary process. When I asked Madame Binh whether she foresaw a degree of independence for the South even after political reunification, she replied:

I don't know exactly your meaning of "independence." Within the framework of a unified North and South, there will be an understanding that certain decisions about the nature of the economy and the government will be left to each zone, so that they can proceed under policies that are best adapted to the local conditions of the two zones.

B. THE BLOODBATH ISSUE

From an American perspective any discussion of Vietnam's post-war internal condition is, of course, incomplete without some accounting for wartime predictions that there would be a monstrous "bloodbath" in the South if the PRG were ever to take control. Along with the return of our prisoners of war, the avoidance of a bloodbath did become, after all, the most frequently proclaimed rationale for continuing the war long after most Americans had come to oppose it.

I obviously cannot document the seeming absence of widespread reprisals or executions in South Vietnam. I cannot declare on the basis of personal observation that these things did not occur. But I do have some strong impressions on the subject. And they are based as much on what I saw in Saigon, and on what I heard in discussions on seemingly unrelated subjects, as on what was said in response to my specific "bloodbath" inquiries. These factors, together with a certain amount of common sense, strongly support a conclusion that the bloodbath theory was one of the great false alarms of all time.

As a practical matter, systematic reprisals would have required an enormous administrative apparatus simply to locate and identify the proper victims. If the Provisional Revolutionary Government has such a capability, they certainly keep it well concealed. We were told, and it seems quite plausible, that most of the administrative positions in the government are still held by the same people who held them under President Thieu. The PRG does hold what political power there is in Saigon. But we saw no indication that they—or anyone—actually controls or runs the city. For example, an inquiry on the source of the gasoline we saw being sold by street vendors brought the admission, "We have no idea." We covered a great deal of Saigon by car, and we walked through the market area on foot. There were sound trucks broadcasting political messages, but there were no visible troopings of an authoritarian State. We saw few policemen, and they were not visibly armed. We saw few military uniforms in the central city.

Further, regardless of what their inclinations might be, the PRG has a political need to be tolerant of past events. In Saigon, at least, it is quite certain that they were in a minority when they arrived last April, notwithstanding the evacuation of many of Thieu's closest supporters. Possibly some urban dwellers were sympathetic, but most were likely apolitical at best. The final U.S. withdrawal and the

evacuation could only aggravate the economic plight of the hundreds of thousands remaining who had grown accustomed to living comparatively well, off the fat of the American war presence and heavy economic aid. Under those circumstances, any attempt at a bloodbath would have outraged relatives and friends of the victims and would have isolated the PRG from the population whose support it needs to consolidate control and run the country.

PRG officials surely understand these realities. They understood very well the causes of the weakness of the Thieu regime, upon which they capitalized. They are not likely to repeat his mistakes and impose a narrowly-based regime ruling solely by force. On the contrary, as suggested in my earlier references to their forecasts on economic evolution, the entire thrust of the new government is to move steadily but gradually, with due regard for public acceptance, to reshape their society. And leaders who had no qualms about a bloodbath would certainly not tell visitors that relocation is a hard task because people "want to stay in the city." An iron-fisted regime would simply make people leave—as many of them were made to come to the cities in the first place.

What do PRG officials themselves say on the subject of the bloodbath? One guide scoffed at the idea:

If we executed the soldiers, every family would be affected. They were drafted to fight the war. It was not their fault. Only a very few people have been executed—former soldiers of the Thieu army who were bandits, saboteurs. We have to make an example when we catch them red-handed.

We were told that there is a serious crime problem in Saigon. Part of the reason is that they had no way of telling political prisoners from common criminals, so all were released. There is also a death penalty for major crimes, including treason against the new government. But the penalties apply to crimes committed since the PRG assumed power, not to crimes committed before. Madame Binh described their approach to those who had fought on behalf of the Thieu government:

There were more than one million soldiers. For the rank and file soldiers, you could explain policy to them, and they are seen living with their families. For the high ranking officers, they need some time to learn and to study because they had greater responsibility during the war.

I asked if they had executed any of Thieu's top people.

Very few. A few were brought to the tribunals because they are the law offenders. The robbers, the killers, the criminals. We executed a few. Our policy is very clear on this point. For those who committed crimes in the past but who are now living normally as the other people, abiding by the law, we let them live as other people, without discrimination. But those who are continuing their activities against the people, against the law, we have to deal with them.

Most Americans would probably find a policy of forced re-education offensive. We would regard their criminal penalties as very harsh. But we would hardly call these practices a "bloodbath"—especially not in comparison to the bloodbath that went on for so many years on the thesis that a bloodbath would happen if it stopped.

C. VIETNAM'S INTERNATIONAL POSTURE

The United States will, of course, have little to say about the internal directions of Vietnam. We are far more concerned about how

the reunited country will behave in international affairs, and particularly about how U.S.-Vietnam relations may develop.

The watchwords of the Vietnamese foreign policy declared to us come directly from Article 14 of the Paris Agreement:

South Vietnam will pursue a foreign policy of peace and independence. It will be prepared to establish relations with all countries irrespective of their political and social systems on the basis of mutual respect for independence and sovereignty and accept economic and technical aid from any country with no political conditions attached.

Similar sentiments were stated over and over again by officials in both Hanoi and Saigon.

My most extensive discussions on foreign policy issues were with Premier Pham Van Dong. I asked him about relations with the Soviet Union and with the Peoples Republic of China, and he refused to comment on their differences:

We firmly maintain our line of independence and sovereignty. That line requires that we have good relations with those two countries and those two friends.

Vietnam is receiving aid from both the Soviet Union and China. Conversations did tend to confirm the thrust of press accounts suggesting that Soviet aid is more extensive and more closely integrated into the five-year plan to be completed in 1980.¹⁰ But we heard no hints of the traditional animosity toward China. When I asked whether he thought we were prudent to continue pursuing détente, Pham Van Dong brushed the question aside with the comment, "We do not intervene in your internal affairs . . . We have enough to do here."

Cuba has also provided aid, in the form of an attractive tourist hotel, the Thang Loi ("Victory"), on the shore of one of Hanoi's five lakes. It was designed in Cuba and constructed by 500 Cuban workers, who completed the project in September of 1975.

Vietnamese trade is most extensive with other socialist countries—bicycles, while manufactured in both Hanoi and Saigon, are also imported from China, Czechoslovakia, and East Germany. Petroleum comes from the Soviet Union, Algeria, and other Arab states.

At the same time there is a keen interest in moving toward good relations with the United States. I think it is based on something more than their desire for reconstruction aid.

I was frankly surprised at the lack of rancor, on the part of both public officials and the populous. I asked Xuan Oanh about the lack of voluntary discussion of the incredible human losses experienced by the Vietnamese during the war. He replied, sadly, that "you could scarcely find a single family in the North or in the South that did not have one or two members killed in the war." But, like his associates, Mr. Oanh then emphasized that the Vietnamese do not blame the American people for those losses. They see it as the work of misguided leaders—first the French, then the Americans. The extensive physical damage, they say, is the result of "Nixon's bombing."

This was borne out in walks on the street. In Hanoi, especially, people seemed genuinely interested and friendly. (In the South the most common reaction to our presence was obvious incredulity.) Children, all of whom study English in school, as well as Russian and

¹⁰ "Moscow Expands Aid to Vietnamese," *The New York Times*, Feb. 1, 1976.

French, tried out their vocabularies, shouting "hello" from across the street.

Both Xuan Thuy and Pham Van Dong brought to mind a long-standing Vietnamese admiration for American traditions. The Premier noted that I had come to Vietnam in the year of the 200th anniversary of the U.S. Declaration of Independence—a document which Ho Chi Minh leaned on extensively in drafting a similar declaration for Vietnam three decades ago. (I recalled that he had changed one of the self-evident truths to hold that all "people," not all "men," are created equal.) When I suggested to Pham Van Dong that I hoped he could reciprocate my visit and come to the United States, he said he was "waiting for something that will bring such good fortune."

In the same positive vein, Xuan Oanh observed "We once stood with the Americans." He recalled that—

Thirty years ago to the day before the last American left Saigon in 1975, American officers parachuted into the Vietnamese jungle for a meeting with Ho Chi Minh and General Giap, to plan a common strategy against the Japanese.

On the question of normal diplomatic relations, Pham Van Dong said simply, "We are ready." The common U.S. interpretation has been that the Vietnamese will insist upon implementation of Article 21 as a precondition to normalization. Pham Van Dong did say that the problem of reconstruction aid must be solved, but he said, "I do not think that the raising of that problem will cause difficulty in terms of normal relations." He continued:

While we are broadening our relations with other countries in the world, we want to have that similar relationship with the United States. Why should we not have relations with such an important country as the United States?

We also discussed trade possibilities. When I asked what commodities they might want to import, Pham Van Dong said there were innumerable things and that the only question was what the Vietnamese would have to pay. I asked whether they would welcome the cooperation of U.S. oil companies in developing oil resources, and he responded, "Of course. Why not?" This is one of the things he said should be discussed at an official level.

In summary, it appears to me that no country should expect its diplomatic, trade, or aid relationships to produce any significant influence over Vietnam, either in internal or external affairs. After struggling and suffering so long for peace and independence, they are determined not to lose either.

At the same time, and in the same spirit that moves them to heal the internal divisions which had them at war with each other barely 10 months ago, they are more than ready to lay their battle with outsiders to rest, and to approach the future on the basis of mutual interest and mutual respect.

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